

HOUSE BILL 3809

By Shepard

AN ACT to amend Tennessee Code Annotated, Title 33,
relative to the state opioid treatment authority.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 33, is amended by adding the following language as a new Chapter 10, Part 1:

Section 33-10-101. Short title.

This part shall be known and may be cited as the "Opioid Treatment Authority Act of 2010."

Section 33-10-102. Statement of policy.

It is the policy of this state that the department of mental health and developmental disabilities is the designated state agency with authority to license and regulate opioid treatment facilities in the state of Tennessee. The department of mental health and developmental disabilities, as the state Opioid Treatment Authority ("Authority"), shall designate appropriate staff to advise the department on issues concerning opioid treatment; advise the department and develop best practice policies on the treatment of service recipients and the administration of drugs within the opioid treatment facilities; and perform other functions as necessary for the protection and welfare of opioid dependent service recipients.

Section 33-10-103. Definitions.

(1) "Department" means the department of mental health and developmental disabilities.

(2) "Opioid Treatment Facility" means, for purposes of this Part, any program for chronic heroin or other opiate-like drug users that administers narcotic drugs under

physicians' orders either for detoxification purposes or for maintenance treatment in a rehabilitative context; the term facility includes any program or clinic licensed by the department to operate as an Opioid Treatment Facility.

(3) "Service Recipient" means, for purposes of this Part, any individual who is receiving service, has applied for service or has received a service provided by the Opioid Treatment Facility subject to the licensure jurisdiction of the department.

Section 33-10-104. Rules for opioid treatment authority.

The department shall adopt rules for operation of the Opioid Treatment Authority, including, but not limited to adequacy of services, qualifications of professional staff, administration of drugs within the facilities, reporting requirements, and administration of the opioid treatment authority.

Section 33-10-105. Data reporting.

(a) All opioid treatment facilities licensed by the Department of Mental Health and Developmental Disabilities shall regularly submit to the department reporting data in order to ensure the delivery of the best possible care and treatment for the citizens of Tennessee.

(b) The department shall promulgate rules, detailing the contents and format of the data to be reported pursuant to subsection (a), as well as the frequency of such submissions.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.